

Appl. No. : 10/602,796
Filed : June 24, 2003

REMARKS

Upon entry of the foregoing amendments, Claims 6-15 and 19 remain pending. Claims 1-5, 16-18 and 20-28 have been canceled without prejudice to accelerate the allowance of this application. Applicant reserves the right to pursue these canceled claims in a continuation application.

Amendment to the Specification

Applicant has amended paragraph [0032] of the specification to clarify the details of an embodiment of the coin mechanism having a coin-return actuator and a protrusion that are not shown in the figures, as discussed below. No new matter has been added.

Rejection of the Claims under 35 U.S.C. 112

Claims 1-15, 19, and 21-28 stand rejected under 35 U.S.C. 112, 1st paragraph, as failing to comply with the enablement requirement. The Examiner states that "the claim(s) contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. For example, on p. 5, in paragraph (31), lines 2 and 3, the protrusion (54) is mentioned as being configured to engage the coins against the wall (42a) by movement through apertures (57a and b). However, this appears to not be reflected in the drawings. It appears that protrusion (54) is an elliptical shape, and that apertures (56a, 56b) are the apertures that accept protrusion (54)." Office Action, paragraph 3.

Applicant has canceled Claims 1-5 and 21-28 without prejudice and therefore respectfully submits that the rejection of these claims is now moot.

Applicant first respectfully submits that the paragraph the Examiner refers to in the Office Action is paragraph [0032], not paragraph [0031], of the originally-filed specification. Applicant respectfully submits that at least the non-limiting embodiment described in paragraph [0030] provides the necessary enablement of the "coin-return actuator" and "protrusion" claim language in amended Claims 6 and 19. The "coin-return actuator" differs from the "actuator" recited in Claims 6-15 and 19. Said "actuator" is supported by at least the non-limiting embodiment described in paragraph [0034]-[0040].

Applicant has amended paragraph [0032] to clarify the details of another embodiment of the coin mechanism, which is not shown in the figures, to which the Examiner refers in

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paragraph 3 of the Office Action. Applicant intended to have paragraphs [0030] and [0031] describe the embodiment illustrated in Figure 1C of the application, and to have paragraph [0032] describe another embodiment that is not shown in the figures. Applicant has corrected the inadvertent typographical errors in paragraph [0032] that incorrectly associated this paragraph with Figure 1C. Applicant respectfully submits that no new matter has been added in the amendment to the specification. Accordingly, Applicant respectfully requests the withdrawal of these rejections.

Rejection of the Claims Under 35 U.S.C. 102

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Aschenbeck et al. (U.S. Pat. No. 4,693,357). Applicant has canceled Claims 1-5, 16-18 and 20-28 to further the prosecution of this case but reserves the right to pursue these claims in a continuation application. Accordingly, Applicant respectfully submits that the rejection of these claims is now moot.

Rejection of the Claims Under 35 U.S.C. 103

Claim 1

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Aschenbeck et al. Applicant has canceled Claims 1-5, 16-18 and 20-28 to further the prosecution of this case but reserves the right to pursue these claims in a continuation application. Accordingly, Applicant respectfully submits that the rejection of these claims is now moot.

Claims 2-5 and 21-28

Claims 2-5 and 21-28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Aschenbeck et al. in view of Wenner (U.S. Pat. No. 4,591,042). Applicant has canceled Claims 2-5 and 21-28 to further the prosecution of this case but reserves the right to pursue these claims in a continuation application. Accordingly, Applicant respectfully submits that the rejection of these claims is now moot.

Claims 6-15 and 19

Applicant gratefully acknowledges the Examiner's statement that Claims 6-15 and 19 would be allowable if rewritten or amended to overcome the rejection(s) under 35 USC 112, 1st paragraph. As discussed above, Applicant respectfully submits that support for the enablement of these claims is provided at least by the non-limiting embodiments disclosed in paragraphs

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[0030] and [0034]-[0040]. Applicant has also amended paragraph [0032] to clarify the features of one embodiment that are not shown in the figures. Applicant has also amended Claims 6 to correct typographical errors. Accordingly, Applicant respectfully submits Claims 6-15 and 19 are now in condition for allowance.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance in view of the above remarks. Any remarks in support of patentability of one claim, however, should not be imputed to any other claim, even if similar terminology is used. Additionally, any remarks referring to only a portion of a claim should not be understood to base patentability on that portion; rather, patentability must rest on each claim taken as a whole. Applicants respectfully traverse each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although amendments have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby. Applicants also have not presented arguments concerning whether the applied references can be properly combined in view of, among other things, the clearly missing elements noted above, and Applicants reserve the right to later contest whether a proper motivation and suggestion exists to combine these references.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney, in order to resolve such issues promptly.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance, and Applicants respectfully request that a Notice of Allowance be issued at the earliest opportunity.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

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Respectfully submitted,

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AMEND

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